



July 12, 2007

Dear ;

I am writing to ask for your help to identify strategies and solutions to address growing concerns regarding illegal and unsafe use of Off Highway Vehicles (OHV's). The Department of Conservation and Recreation in partnership with the Executive Office of Energy and Environmental Affairs (EOEEA) is assembling an OHV Enforcement Working Group that represents a diverse range of interests to guide the agency in drafting changes to current OHV laws, regulations and practices. The working group includes motorized trail recreation clubs and organizations, law enforcement agencies, land management agencies, environmental interests and others. Over the next four months, the group will concentrate on four key areas related to OHV enforcement and education and produce a report with its recommendations to be submitted to the Secretary of EOEEA by November 15, 2007.

Background

Dramatic growth in motorized trail recreation in the last decade and the lack of legally established riding areas has resulted in widespread complaints about illegal off highway vehicle (OHV) use. Off highway vehicles, also known as recreational vehicles or off road vehicles (ORV) typically include equipment such as all terrain vehicles (ATV's) and off-highway motorcycles. Effective and sustainable management of this growing recreational activity requires three inter-related elements:

1. Legal, sustainable and accessible places to ride that offer environmental protections and safe OHV use.
2. Strengthened state laws, regulations, and enforcement capacity to deter illegal riding.
3. Consistent information regarding safe and environmentally responsible motorized trail recreation coordinated among land managers, local and state law enforcement agencies, dealers and manufacturers of motorized recreation vehicles, and the network of clubs and riders.

The Department of Conservation and Recreation (DCR) recently developed standards for the siting of motorized trail recreation activities to guide agency decisions regarding this use on DCR lands. The Department's Stewardship Council recognized the importance of enforcement when it directed DCR to develop an enforcement plan for OHV's on Department property. Recognizing that OHV enforcement concerns exist throughout the Commonwealth, the OHV Enforcement Working Group is intended to advise both the agency and the Commonwealth in further actions related to OHV enforcement on both public and private lands.

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

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Richard K. Sullivan, Jr., Commissioner
Department of Conservation & Recreation

Enforcement Working Group Tasks and Members

The enforcement of OHV laws and regulations is a complex issue involving multiple agencies and many stakeholders. Law enforcement agencies, public and private land managers, motorized recreation enthusiasts and environmental advocates all have an interest in the outcome and play a role in the effectiveness of current or future laws and regulations.

The following agencies, organizations and interests are being invited to participate in the working group.

Executive Office Agencies

- Executive Office of Energy and Environmental Affairs (EOEEA)
- Office of Law Enforcement (Environmental Police)
- Department of Conservation and Recreation:
- Department of Fish and Game
- Department of Environmental Protection

Other Law Enforcement

- Massachusetts State Police
- Massachusetts Police Chiefs Association

Other Land Management Entities

- Mass Land Trust Coalition
- Trustees of Reservations
- Massachusetts Audubon Society
- Massachusetts Association of Conservation Commissions

Recreation Vehicle Interests

- National Off Highway Vehicle Conservation Council
- New England Trail Riders Association
- Northeast ATVers
- Massachusetts ATV Association
- Berkshire Trails Council
- Snowmobile Association of Massachusetts

Other Stakeholders

- Environment Massachusetts
- Consumer Product Safety Commission
- DCR Stewardship Council

The Working Group will identify options and opportunities in four key areas:

1. Assess existing laws and regulations pertaining to the use and operation of recreation vehicles and identify opportunities and strategies to enhance their effectiveness for the protection of public safety, the environment, and public and private property
2. Review the current capacity of agencies charged with enforcing OHV laws and regulations and identify opportunities and financing strategies to increase the capacity of the enforcement system.
3. Identify short-term opportunities and strategies to reduce unsafe and inappropriate use of OHVs that are currently available under existing laws, regulations, enforcement capacity and funding mechanisms.
4. Identify opportunities to improve communication among stakeholders in order to increase safe, responsible and legal OHV use

Schedule and Outcomes

The Off Highway Vehicle Enforcement Working Group is scheduled to meet four times between August 2007 and October 2007. Each meeting is expected to last approximately four hours during which participants will be briefed on key topic areas and participate in a facilitated discussion to help identify broad themes and specific recommendations. Agency staff supporting the Working Group will prepare a report that captures recommendations and strategies that emerge from the process. The report shall include recommendations in each of the four key areas described above including legislative, budgetary and operational actions necessary to improve OHV safety and the protection of public and private lands from illegal OHV use. To maximize the opportunity for timely change, the report will be due by November 15, 2007.

The anticipated meeting schedule is as follows:

Friday, August 10, 2007: 10:00 – 2:00, Worcester area location
Friday, September 14, 2007: 10:00 – 2:00, Worcester area location
Friday, October 12, 2007: 10:00 – 2:00, Worcester area location
Friday, October 26, 2007: 10:00 – 2:00, Worcester area location

Lunch will be provided for each of the meetings.

I am confident that the OHV Enforcement Working Group will offer the Commonwealth important perspective to guide future decisions. It will also provide a valuable opportunity for diverse stakeholders in this important topic to share their perspective and gain new insights.

I appreciate your consideration of this request and sincerely hope you or a representative from your organization will be able to participate in this important process. If you have questions about the Working Group, please feel free to contact Robert OConnor, EOEEA's Director of Watershed Policy (617 626-1170) Robert.oconnor@state.ma.us or Gary Briere, DCR's Recreation Bureau Chief (617 626-1454) gary.briere@state.ma.us

Sincerely,

Richard K. Sullivan Jr.
Commissioner,
Massachusetts Department of Conservation and Recreation